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Customer No.: 07278

Docket No: 05432/100M029-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/750,049

Art Unit: Not Yet Assigned

Applicants : Hans PETERSEN et al.

Filed : December 30, 2003

## CRYSTALLINE BASE OF CITALOPRAM

## Title : CRYSTALLINE BASE OF CITALOPRAM

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## CRYSTALLINE BASE OF CITALOPRAM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **SECOND PRELIMINARY AMENDMENT**

Sir:

Prior to examination on the merits, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the Listing of Claims, which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.

03-18-04



Application No. (if known): 10/750,049

Attorney Docket No.: 05432/100M029-US2/

## Certificate of Express Mailing Under 37 CFR 1.10

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Information Disclosure Statement (3 pages)  
Form PTO/SB/08 (7 pages)  
Second Preliminary Amendment (4 pages)  
Petition to Make Special Under 37 C.F.R. § 1.102 (8 pages) with Exhibits 1-8  
Fee Transmittal (1 page)  
Amendment Transmittal (1 page)  
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MAR 16 2004  
PATENT & TRADEMARK OFFICE

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 130.00)

Complete if Known	
Application Number	10/750,049
Filing Date	December 30, 2003
First Named Inventor	Hans Petersen
Examiner Name	Not Yet Assigned
Art Unit	N/A
Attorney Docket No.	05432/100M029-US2

**METHOD OF PAYMENT (check all that apply)**

Check  Credit Card  Money Order  Other  None

Deposit Account:

Deposit Account Number 04-0100

Deposit Account Name Darby &amp; Darby P.C.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

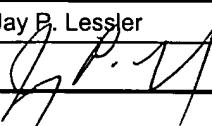
**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet.
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	420	2252	210 Extension for reply within second month
1253	950	2253	475 Extension for reply within third month
1254	1,480	2254	740 Extension for reply within fourth month
1255	2,010	2255	1,005 Extension for reply within fifth month
1401	330	2401	165 Notice of Appeal
1402	330	2402	165 Filing a brief in support of an appeal
1403	290	2403	145 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive - unavoidable
1453	1,330	2453	665 Petition to revive - unintentional
1501	1,330	2501	665 Utility issue fee (or reissue)
1502	480	2502	240 Design issue fee
1503	640	2503	320 Plant issue fee
1460	130	1460	130 Petitions to the Commissioner
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	770	2809	385 Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385 For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify)		1617	Petition to Make Special
			130.00

\*Reduced by Basic Filing Fee Paid

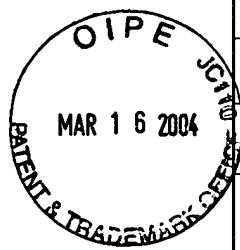
**SUBTOTAL (3) (\$ 130.00)****SUBTOTAL (2) (\$ 0.00)**

\*\*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		(Complete if applicable)		
Name (Print/Type)	Jay P. Lessler	Registration No. (Attorney/Agent)	41,151	Telephone (212) 527-7765
Signature			Date	March 16, 2004

Express Mail Label No. \_\_\_\_\_

Dated: \_\_\_\_\_



## AMENDMENT TRANSMITTAL LETTER

Docket No.  
05432/100M029-US2

Application No.  
10/750,049

Filing Date  
December 30, 2003

Examiner  
Not Yet Assigned

Art Unit  
N/A

Applicant(s): Hans Petersen et al.

Invention: CRYSTALLINE BASE OF CITALOPRAM

### TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
<b>Total Claims</b>	13	- 26 =		x	0.00
<b>Independent Claims</b>	1	- 3 =		x	0.00
<b>Multiple Dependent Claims (check if applicable)</b> <input type="checkbox"/>					
<b>Other fee (please specify):</b> Petition to Make Special					130.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					130.00

Large Entity

Small Entity

No additional fee is required for this amendment.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

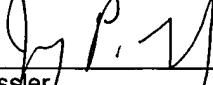
A check in the amount of \$ 130.00 to cover the filing fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 04-0100  
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Credit any overpayment.

Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

  
\_\_\_\_\_  
Jay P. Lessler  
Attorney Reg/No.: 41,151

Dated: March 16, 2004

DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7766

Express Mail Label No.

Dated: \_\_\_\_\_